

STATE OF WEST VIRGINIA

COUNTY OF MARSHALL, to-wit:

I, RUTH ANN VILLERUE of WEST MARSHALL COUNTY,  
being of lawful age and being duly sworn, state that for the past 45 years I have been very  
familiar with the use and occupancy of that certain tract of land described as follows, to wit:

Legal Description: Subject lands situate in the Liberty District, Marshall County, West Virginia, being 102  
acres, more or less, Tax Map #29, Parcel 4

The Lands were subject to the following Oil and Gas Leases (the "Leases"):

- a. Oil and Gas Lease of 242 acres from Henry Yoho and Susan E. Yoho, his wife, and S. T. Yoho and Ella Yoho, his wife, to South Penn Oil Company, dated February 20, 1895, of record in the aforesaid Clerk's office in Deed Book No. 49, at page 213, for the term of five (5) years from this date, and as much longer as the rent for failure to commence operations is paid, and as long after the commencement of operations as said premises are operated for the production of oil or gas.
- b. Oil and Gas Lease of 242 acres from Henry Yoho and Sim Yoho to J. C. Trees, dated May 2, 1898, of record in the aforesaid Clerk's office in Deed Book No. 56, at page 287, for the term of five (5) years from this date, and as much longer as the rent for failure to commence operations is paid, and as long after the commencement of operations as said premises are operated for the production of oil or gas.
- c. Oil and Gas Lease of 242 acres from S. T. Yoho and Ella Yoho, his wife, and Henry Yoho and Susan E. Yoho, his wife, to The South Penn Oil Company, dated January 1, 1900, of record in the aforesaid Clerk's office in Deed Book No. 74, at page 94, for the term of five (5) years from this date, and as long thereafter as oil or gas is produced therefrom by the party of the second part, its successors and assigns.
- d. Oil and Gas Lease of 10 acres from S. T. Yoho and Ella Yoho, his wife, to The Wheeling Natural Gas Co., dated April 16, 1915, of record in the aforesaid Clerk's office in Deed Book No. 144, at page 502, for the term of fifteen (15) years from May 6, 1915, and as much longer as the rental for delay in operating is paid or as long after commencement of operations as the said premises are being operated for the production of oil or gas, or as oil or gas is found in paying quantities thereon.
- e. (1) Oil and Gas Lease of 10 acres from Iva B. Pyles and J. N. Pyles, her husband, O. O. Yoho, widower, Flossie Yoho Stewart and Cecil Stewart, her husband, Etta M. Yeater and T. W. Yeater, her husband, Clarence Yoho and Anna Yoho, his wife, J. W. Yoho and Dessie Yoho, his wife, to The Manufacturers Light and Heat Company Co., dated March 15, 1930, of record in the aforesaid Clerk's office in Deed Book No. 196, at page 541, for the term of ten (10) years from May 6, 1930, and as much longer as operations for Oil and Gas are being conducted on the premises, or Oil or Gas is found in paying quantities thereon.  
  
(2) By instrument dated May 9, 1934, of record in the aforesaid Clerk's office in Deed Book No. 198, at page 534, Iva B. Pyles and J. N. Pyles, her husband, O. O. Yoho, Flossie Yoho Stewart and Cecil Stewart, her husband, Etta M. Yeater and T. W. Yeater, her husband, Clarence Yoho and Anna Yoho, his wife, J. W. Yoho and Dessie Yoho, his wife, granted unto The Manufacturers Light and Heat Company Co., a modification of that certain oil and gas lease of 10 acres from Iva B. Pyles and J. N. Pyles, her husband, O. O. Yoho, widower, Flossie Yoho Stewart and Cecil Stewart, her husband, Etta M. Yeater and T. W. Yeater, her husband, Clarence Yoho and Anna Yoho, his wife, J. W. Yoho and Dessie Yoho, his wife, to The Manufacturers Light and Heat Company Co., dated March 15, 1930, of record in the aforesaid Clerk's office in Deed Book No. 196, at page 541, regarding delay rentals reductions.
- f. Oil and Gas Lease (Lease No. 19494) of 10 acres from Iva B. Pyles and J. N. Pyles, her husband, O. O. Yoho and Cleta Yoho, his wife, Flossie Yoho Stewart and Cecil Stewart, her husband, Etta M. Yeater and T. W. Yeater, her husband, Clarence Yoho and Anna Yoho, his wife, J. W. Yoho and Dessie Yoho, his wife, to The Manufacturers Light and Heat Company Company, dated May 3, 1940, of record in the aforesaid Clerk's office in Deed Book No. 215, at page 110, for the term of ten (10) years from May 6, 1940, and as much longer as operations for Oil and Gas are being conducted on the premises, or Oil or Gas is found in paying quantities thereon.
- g. (1) Oil and Gas Lease (Lease No. 27622) of 10 acres from Iva B. Pyles and J. N. Pyles, her husband, Clarence Yoho and Anna Yoho, his wife, J. W. Yoho and Dessie Yoho, his wife, Etta M. Yeater and T. W. Yeater, her husband, Cleta O. Yoho, widow, Flossie Yoho Stewart and Cecil Stewart, her husband, to The Manufacturers Light and Heat Company Company, dated May 4, 1954, of record in the aforesaid Clerk's office in Deed Book No. 299, at page 50, for the term of ten (10) years from June 15, 1954, and as much longer as operations for Oil and Gas are being conducted on the premises, or Oil or Gas is found in paying quantities thereon.

(2) By Ratification of Lease dated May 4, 1954, of record in the aforesaid Clerk's office in Deed Book No. 299, at page 56, Clarence Yoho and Anna Yoho, his wife, granted unto The Manufacturers Light and Heat Company Company a ratification of that certain oil and gas lease of 10 acres made by Clarence Yoho and Anna Yoho, his wife, to The Manufacturers Light and Heat Company Company, dated May 4, 1954.

- h. (1) Oil and Gas Lease (Lease No. 27622) of 10 acres from J. N. Pyles and Iva B. Pyles, his wife, T. W. Yeater, widower, Dessie Yoho, widow, Anna Yoho, widow, Cleta O. Yoho, widow, to The Manufacturers Light and Heat Company, dated June 9, 1964, of record in the aforesaid Clerk's office in Deed Book No. 371, at page 139, for the term of ten (10) years from June 15, 1964, and as long thereafter as the above described land or any portion thereof is operated by the Lessee, in search for or in production of oil or gas or as long as such land is unitized by Lessee alone or conjointly with neighboring lands for either the storage of gas by injection, storage and removal of gas through well or wells operated on either the land herein demised or other adjoining or neighboring lands comprising a part of the same gas storage field, or for the protection of any gas stored in such storage field.

(2) By Ratification of Lease dated June 15, 1964, of record in the aforesaid Clerk's office in Deed Book No. 371, at page 272, Flossie Yoho Stewart and Cecil Stewart, her husband, granted unto The Manufacturers Light and Heat Company a ratification of that certain oil and gas lease of 10 acres to The Manufacturers Light and Heat Company, dated June 9, 1964, of record in the aforesaid Clerk's office in Deed Book No. 371, at page 139.

That I know of my own knowledge that no oil and/or gas is currently being produced under the terms of the aforesaid Leases upon any of the above described property; that to my knowledge no royalties are currently being paid pursuant to the aforesaid Leases on the above described property; and that I know to the best of my own knowledge that the aforesaid Leases have heretofore been abandoned, surrendered and otherwise terminated.

I further state that I know to the best of my own knowledge that no production of oil and/or gas is currently being produced pursuant to the aforesaid Leases on other property covered by said Leases, if any, or other property pooled or unitized therewith, if any.

Further Affiant sayeth naught.

Executed this 12 day of MAY, 2008 Ruth Ann Miller Yeater

### ACKNOWLEDGEMENT

STATE OF WEST VIRGINIA }  
COUNTY OF MARSHALL } SS:



On the 12<sup>th</sup> day of May, 2008, before me personally came the above named: Ruth Ann Miller Yeater, a widow, being person(s) known to me to be the same person(s) described herein and who acknowledge having executed the foregoing instrument.

My commission expires March 31, 2018

[Signature]  
Signature / Notary Public

Harry Heinbaugh  
Name / Notary Public (print)

County Recorder: Please return recorded document to Mason Dixon Energy, Inc., 101 Cambridge Place, Bridgeport, WV 26330

JAN PEST  
MARSHALL County 10:40:35 AM  
Instrument No 1259869  
Date Recorded 10/24/2008  
Document Type O&G  
Book-Page 673-536  
Recording Fee \$5.00  
Additional \$6.00

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 12<sup>th</sup> day of May, 2008, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 24<sup>th</sup> day of October, 2008 at 10:40 o'clock A.M.

TESTE: [Signature] Clerk.